

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America ex rel.
Kipp Fesenmaier,

Plaintiff,

Case No. 13-cv-3003 (WMW/DTS)

v.

ORDER

The Cameron-Ehlen Group, Inc., et al.,

Defendants.

By letters dated May 26, 2020, and May 27, 2020, the Parties informed the Court of a procedural disagreement. As part of its Motion for Partial Summary Judgment, Plaintiffs filed several documents designated confidential under seal, but subsequently challenged their confidential designation in communications with Defendants. The Parties disagree whether the procedures set forth in the Stipulated Amended Protective Order (Dkt. No. 270) or Local Rule 5.6 govern the substantive dispute over the designations and sought the Court's guidance.

The Parties shall follow the procedures for bringing joint motions for continued sealing under Local Rule 5.6. Although the operative Protective Order provides a procedure for challenging a confidential designation, a party wishing to do so must raise the challenge "within a reasonable amount of time of the party's receipt or potential use of the document" Stip. Am. Protective Order ¶ 10. Plaintiffs did not challenge the confidential designation until after filing the documents in support of a motion and so their challenge was not brought within a reasonable amount of time. Whether the documents should in fact remain sealed is a separate issue which the Court will address on a joint motion for continued sealing. Accordingly—

IT IS HEREBY ORDERED that the Parties shall follow the procedures of Local Rule 5.6 to determine whether documents filed under temporary seal in support of Plaintiffs' Motion for Partial Summary Judgment (Dkt. No. 639) shall remain under seal.

Dated: June 29, 2020

s/ David T. Schultz
DAVID T. SCHULTZ
United States Magistrate Judge